

DECLARATION FOR PATENT APPLICATION

(Foreign Agent Inv lved)

Docket Number (Optional)

WP-1879-US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
METHOD AND APPARATUS FOR MELTING A METAL, the specification of which

is attached hereto unless the following box is checked:

☐ was filed on _____ as United States Application Number or PCT International Application
 Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

102 56 513.9Germany04/12/2002

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☒ Yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from BÜCHEL, von REY & PARTNER as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Martin A. Farber, Esq., Reg. No. 22,345

Address all telephone calls to Martin A. Farber, Esq. at telephone number (212) 758-2878

Address all correspondence to Martin A. Farber, Esq.
866 United Nations Plaza, Suite 473, New York, NY 10017

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Erich RAUCH

Inventor's signature Erich Rauch Date 11/12/2003

Residence Schmideggstrasse 23, Gmunden, Austria Citizenship Austria

Post Office Address Schmideggstrasse 23, AT-4810 Gmunden, Austria

Full name of second joint inventor, if any (given name, family name) Alfred SIGMUND

Second Inventor's signature Alfred Sigmund Date 11/12/2003

Residence Schmideggstrasse 19, Gmunden, Austria Citizenship Austria

Post Office Address Schmideggstrasse 19, AT-4810 Gmunden, Austria

☐ Additional inventors are being named on a separate sheet attached hereto.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL mailing label No. EF024292042US
Deposited November 20, 2003

USA USA Patent Application
Erich RAUCH, et al
METHOD AND APPARATUS
FOR MELTING A METAL

Priority: German Patent Application
102 56 513.9 filed December 4, 2002

Commissioner for Patents
Alexandria, VA 22313-1450
S I R :

SUBMISSION OF SMALL BUSINESS CONCERN'S STATEMENT OF STATUS

AS SMALL ENTITY UNDER 37 CFR 1.27

Entitling this application now to small entity fees, respectfully presented herewith is the Small Business Concern's Statement of Status as Small Entity signed by Mr. Peter Rauh, CEO, of Ing. Rauch Fertigungstechnik GmbH, the assignee of all rights in this application.

Respectfully submitted,
Erich Rauch, et al
by: _____

Martin A. Farber
Attorney for Applicants
Registered Representative
Registration No. 22,345

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(212) 758-2878

SMALL BUSINESS CONCERN

Instructions: If any of the rights in the invention is not in a small entity then fee reductions do not apply and do not sign and return this form. This form is to be signed only by each small business concern who still has any rights in the invention if all other rights, if any, belong only to other small entities, namely, individuals, small business concerns or nonprofit organizations. All these other small entities owning rights should be listed and each one must also sign a corresponding Statement of Status as Small Entity.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Erich RAUCH, et al
 Title: METHOD AND APPARATUS FOR MELTING A METAL
 Priority: German Patent Application
 102 56 513.9 filed December 4, 2002

ATT. DOCKET WP-1879-US

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

S I R :

SMALL BUSINESS CONCERN'S
STATEMENT OF STATUS AS SMALL ENTITY
UNDER 37 CFR 1.27

I, the undersigned am the owner or official of and am empowered to act on behalf of the small business concern (named below over my signature) and I declare and sign this statement on behalf of the small business concern that:

said small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and in 37 CFR 1.9(d), for purposes of paying reduced fees under 35 USC 41(a) and (b), in that the numbers of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, (2) concerns are affiliates of each other when either directly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both;

exclusive rights to the above-identified invention have been conveyed to and remain with said small business concern, or if the rights are not exclusive, that all other rights belong to small entities as defined in 37 CFR §1.9 listed below, to be accompanied by their Statement of Status as a Small Entity.

NAME

ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)); and

I hereby declare that all statements made herein are of my own knowledge and are true and that all other statements are made on information and belief and are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME AND ADDRESS OF SMALL BUSINESS CONCERN:
 Ing. Rauch Fertigungstechnik GmbH
 Fichtenweg 3, AT-4810 Gmunden, Austria

Dated: 11/12/2003

Peter Rauch CEO
 Ing. Rauch Fertigungstechnik
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